

27 pages

RESOLUTION NO. 193

WHEREAS, this Board did on March 6, 1978 receive a petition requesting the zoning of an area as described in Exhibit "A" attached hereto and by this reference made a part hereof.

WHEREAS, the petition was signed by more than sixty percent (60%) of the freeholders within such area, and thereafter public hearing was held, as required by law, by the Ravalli County Planning and Zoning Commission on May 11, 1978 and thereafter the Commission met on June 8, 1978 and again on June 22, 1978 at which time the petition was granted.

WHEREAS, Resolution No. 15 containing the provisions for regulations controlling the zoning of area petitioned for was passed and adopted by the Ravalli County Planning and Zoning Commission under date June 22, 1978.

NOW, THEREFORE, BE IT RESOLVED, that the Board of County Commissioners of Ravalli County, Montana, do hereby approve and accept the recommendations of the County Planning and Zoning Commission and hereby the resolution granting said petition for creation of Ravalli County Planning and Zoning District No.

20.

PASSED AND ADOPTED this 7th day of July, 1978.

BOARD OF COUNTY COMMISSIONERS  
Ravalli County, Montana

  
John McKinley, Chairman

  
Hugh G. Cumming, Member

  
F.T. Williams, Member

6407

EXHIBIT "A"

The  $N\frac{1}{2}SE\frac{1}{4}NW\frac{1}{4}$ , and that part of the  $SW\frac{1}{4}NE\frac{1}{4}$  lying west and below the Bitter Root Irrigation District Canal, all being located in Section 12, Township 8 North, Range 20 West, M.P.M.

The  $N\frac{1}{2}NW\frac{1}{4}$ , and that part of the  $NW\frac{1}{4}NE\frac{1}{4}$  lying west of and below the Bitter Root Irrigation District Canal, all in Section 12, Township 8 North, Range 20 West, M.P.M.

The  $NE\frac{1}{4}NE\frac{1}{4}$ ,  $SE\frac{1}{4}NE\frac{1}{4}$ , and the  $NE\frac{1}{4}SE\frac{1}{4}$  of Section 11, Township 8 North, Range 20 West, M.P.M.

The  $SW\frac{1}{4}$ , and the  $W\frac{1}{2}SW\frac{1}{4}NW\frac{1}{4}$ , EXCEPT that portion north of the County Road, all in Section 1, Township 8 North, Range 20 West, M.P.M., ALSO EXCEPTING THEREFROM the following tract: Commencing at center of Section 1; thence south 330 feet; thence in a diagonal line to northwest corner of  $NE\frac{1}{4}SW\frac{1}{4}$  of said section; thence east on north line of  $NE\frac{1}{4}SW\frac{1}{4}$  of said Section to point of beginning. ALSO, a portion of the  $SW\frac{1}{4}NW\frac{1}{4}$  of Section 1, Township 8 North, Range 20 West, M.P.M., described as follows: Commencing at the northeast corner of  $NW\frac{1}{4}SW\frac{1}{4}$  of Section 1; thence north 330 feet; thence diagonally northwest to a point of 660 feet north of the northwest corner of the  $NE\frac{1}{4}NW\frac{1}{4}SW\frac{1}{4}$ ; thence south 660 feet; thence east to the point of beginning. ALSO,  $NW\frac{1}{4}SE\frac{1}{4}$ ,  $NE\frac{1}{4}SE\frac{1}{4}$ ,  $SE\frac{1}{4}SE\frac{1}{4}$ ,  $NE\frac{1}{4}SW\frac{1}{4}$ ,  $SE\frac{1}{4}NW\frac{1}{4}$ ,  $SW\frac{1}{4}NE\frac{1}{4}$ ,  $SE\frac{1}{4}NE\frac{1}{4}$ , EXCEPTING that part north of County Road, all in Section 2, Township 8 North, Range 20 West, M.P.M., SUBJECT to roads, rights of way and easements as same now exist or appear of record, 454.5 acres, more or less.

Sunset Orchards #4, Block 12, Lots 1 through 27, all in Sections 12 and 13, Township 8 North, Range 20 West, M.P.M.

Map of area is on file with said petition.

6407

RESOLUTION NO. 15

BE IT RESOLVED, that whereas a petition was filed with the Board of County Commissioners of Ravalli County, Montana, for the creation of a Planning and Zoning District in an area within the boundaries described in said petition and shown on map submitted therewith, and,

WHEREAS, the petition was filed by more than sixty percent (60%) of the recordholders within such area, and,

WHEREAS, the County Commissioners thereupon appointed a Planning and Zoning Commission in accordance with the provisions of Chapter 41, Title 16, R.C.M., 1947, as amended, and,

WHEREAS, the Planning and Zoning Commission thereafter, by order, directed that notice of a public hearing be given as required by law, and such notice was thereafter given and a public hearing held.

NOW THEREFORE, it is ordered and this does order that there is hereby created Ravalli County Planning and Zoning District No. 20, said district is more particularly described in Exhibit "A" attached hereto and with this reference made a part hereof.

IT IS FURTHER ORDERED, and this does order, that the following shall govern the use of lands and structures within the Planning and Zoning District No. 20.

A. INTENT

This district provides for low density residential development of an open and rural character in areas best suited for such purposes, and provides for environmental protection of those areas that are fragile and cannot support more intensive urbanized activities due to physiographic, hydrologic, biologic, and economic conditions. Planned unit developments and planned variations are encouraged to preserve agriculture land and to enhance environmental amenities found in rural areas.

B. SPACE AND BULK REQUIREMENTS

Maximum residential density.....One (1) dwelling per 9 acres. EXCEPT FOR: Lots 9, 10, 11, 12, 13, 14, 15, 16, 18, 19, 20, 21, 22, 23 and 24, Block 12 of Sunset Orchards #4 - Maximum residential density.....One (1) dwelling per 4.5 acres.

Lot 17, Block 12, Sunset Orchards #4, a minor subdivision and is not subject to density requirement, but may not be re-subdivided.

Minimum required yard - front.....Fifty (50) feet.  
- side.....Fifty (50) feet.  
- rear.....Fifty (50) feet.  
Maximum building height.....None.

C. PERMITTED USES

1. Single family dwelling.
2. Mobile homes.
3. Modular homes.
4. Accessory buildings and uses.

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D. BUILDING REQUIREMENTS AND RESTRICTIONS:

1. Small scale home or "cottage" enterprises will be permitted.
2. Accessory housing associated with the primary dwelling for "hired hands" or blood relatives who are part of a farming operation will be permitted.

E. SEVERABILITY:

Invalidation of any one of these provisions by judgement or court order shall in no way affect any of the other provisions which shall remain in full force and effect.

F. ENFORCEMENT:

Any use or feature in violation of these regulations is hereby found and declared to be unlawful and may be enforced as set out in subparagraphs I and II below.

- I. The Ravalli County Commissioners hereby assume responsibility for the enforcement of only those regulations set out in this subparagraph I. Such enforcement shall be discretionary with the Ravalli County Commissioners and shall be civil in nature. The cost of such enforcement shall be paid by Ravalli County. The regulations for which Ravalli County assumes responsibility for enforcement are as follows:

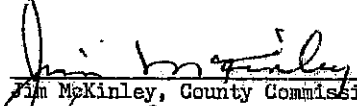
B. SPACE AND BULK REQUIREMENTS

C. PERMITTED USES

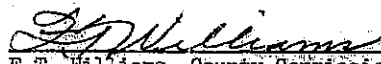
- II. Any interested person may bring any appropriate legal action for the enforcement of any of the regulations which apply to this Planning and Zoning District. The cost of such enforcement shall be borne by the person bringing the legal proceeding. Neither Ravalli County nor the Planning and Zoning District shall be responsible for any of the costs associated with any such enforcement proceeding undertaken pursuant to this subparagraph II.

PASSED AND ADOPTED this 22nd day of June, 1978.

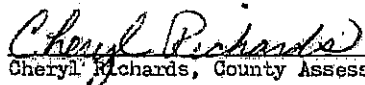
PLANNING AND ZONING COMMISSION

  
Jim McKinley, County Commissioner

  
Hugh G. Cumming, County Commissioner

  
F.T. Williams, County Commissioner

\_\_\_\_\_  
R. David Schurian, County Surveyor

  
Cheryl Richards, County Assessor

6407

EXHIBIT "A"

The  $N\frac{1}{2}SE\frac{1}{4}NW\frac{1}{4}$ , and that part of the  $SW\frac{1}{4}NE\frac{1}{4}$  lying west and below the Bitter Root Irrigation District Canal, all being located in Section 12, Township 8 North, Range 20 West, M.P.M.

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Sunset Orchards #4, Block 12, Lots 1 through 27, all in Sections 12 and 13, Township 8 North, Range 20 West, M.P.M.

Map of area is on file with said petition.

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Sunset Orchard #4

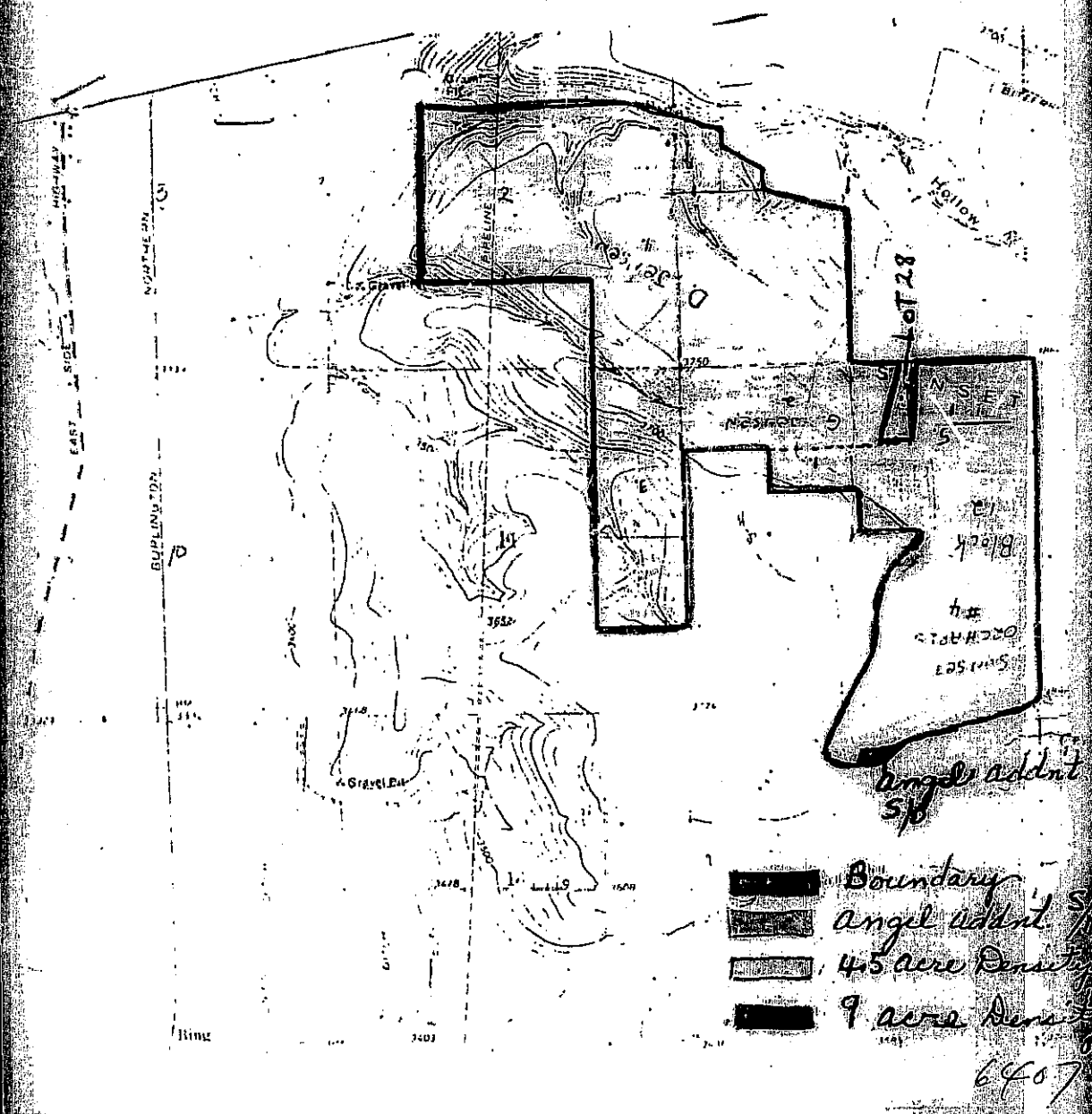


EXHIBIT "A".

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Sunset Orchards #4, Block 12, Lots 1 through 27, all in Sections 12 and 13, Township 8 North, Range 20 West, M.P.M.

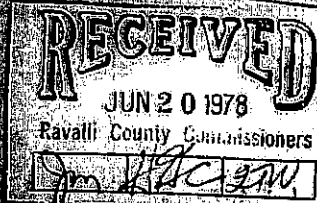
Map of area is on file with said petition.

6407



# COUNTY OF RAVALLI

STATE  
OF  
MONTANA



HAMILTON, MONTANA 59840

115 Bedford

June 19, 1978

Jim McKinley, Chairman  
Ravalli County Commissioners  
Ravalli County Courthouse  
Hamilton, Montana 59840

Re: Sunset Orchards #4 Zoning Petition

You have asked my opinion regarding the effect of a voluntary zoning petition which contains a discrepancy between the legal description and a map attached to the petition.

The petition itself referred to "Exhibit A" as containing the description of the land sought to be included within the zoning district. "Exhibit A" consisted of the "legal descriptions of properties to be zoned." The description was not a boundary description, rather it consisted of several area descriptions, such as N<sub>1</sub> SE<sub>1</sub> NE<sub>1</sub> or Lots 1-27, etc. "Exhibit A" also consisted of two maps upon which was roughed in the approximate outline of the proposed zoning district. Included within the area outlined on the map was land not described in the legal descriptions, such as the Bitter Root Irrigation District Canal and Lot 28 of Block 12, Sunset Orchards #4.

In my opinion, the legal description prevails over the general outline of the district. It is critical that zoning districts be legally described with great precision so that the public knows exactly what area is included. The legal description contained in "Exhibit A" is precise; the map is not. If the district is created, it should conform to the legal description.

I would suggest that if the petitioners desire to include within the district land which was inadvertently omitted when the petition was originally filed, they should submit another petition with a corrected legal description. It is not proper to change an essential part of a petition after it has been signed; to do so is similar to changing the wording of a contract after it has been signed.

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-2-

It is unfortunate that this error has occurred but I believe it again points out the need for zoning petitions to be professionally reviewed before they are submitted to your office.

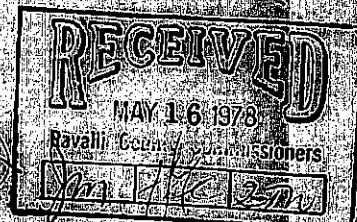
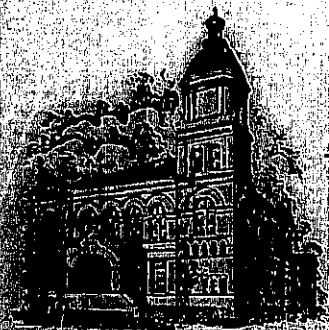
Sincerely,

*Douglas G. Harkin*

Douglas G. Harkin  
Ravalli County Attorney

DGH:dma

6407



Hamilton, Montana

May 15, 1978

Ravalli County Zoning Commission  
Ravalli County Courthouse  
Hamilton, Montana 59840

Gentlemen:

It is first well to state that the entire Board is well aware of my interest in the following petition. With this in mind, let us proceed.

I find two discrepancies in this petition. One possibly an oversight; the second technical, but in fact.

Lot 28 in SUNSET ORCHARDS NUMBER 4 is omitted from the description but included on the map. I have approximately shown this in red on the enclosed map.

The second is that technically this district is not contiguous. The Bitterroot Irrigaion Canal runs through the entire length between the aliquot land and SUNSET ORCHARDS. This is a deeded parcel according to information I have and is not included in the description. Thus we have two separate parcels. (See red line.)

If you have any questions, please call me any afternoon at 363-1490.

Sincerely,

*R. David Schurian*

R. David Schurian  
County Surveyor

bl

Enclosure

cc: Larry Persson, 220 Main, Hamilton, MT  
Gerald Schultz, 220 South 3rd, Hamilton, MT  
Douglas Harkin, 115 Bedford, Hamilton, Mt.  
Richard Dill, Route 2, Box 50-A, Stevensville, MT

6407







STATE OF MONTANA }  
COUNTY OF RAVALLI } ss

This is to certify that I, Jim McKinley, did post copies of Notice of Public Hearing on petition for creation of Planning and Zoning District in an area within the boundaries of Sections 1, 2, 11 and 12, T8N, R20W, and Sunset Orchards #4, Block 12, Lots 1 through 27, in the following places:

1. On a telephone pole 100 yards west of Jensen's house.
2. On telephone pole where pavement ends, south of Dill property.
3. On pole at the southeast corner of proposed district.

  
Jim McKinley, Chairman  
Ravalli County Commissioners

Subscribed and sworn to before me this 25th day of April, 1978.

  
Notary Public for the State of Montana  
Residing at Hamilton, Montana  
My commission expires: April 1, 1980

SEAL

6407

Notice of Public Hearing on Adoption of  
Planning and Zoning District and Adoption of Development  
Pattern Therefor

Notice is hereby given that a petition has been filed for the creation of a Planning and Zoning District in the area within the following boundaries to-wit:

The  $N\frac{1}{2}SE\frac{1}{4}NW\frac{1}{4}$ , and that part of the  $SW\frac{1}{4}NE\frac{1}{4}$  lying west and below the Bitter Root Irrigation District Canal, all being located in Section 12, Township 8 North, Range 20 West, M.P.M.

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Sunset Orchards #4, Block 12, Lots 1 through 27, all in Sections 12 and 13, Township 8 North, Range 20 West, M.P.M.

Map of area is on file with said petition.

That pursuant to such petition, the Board of County Commissioners create and appoint a Planning and Zoning Commission. That the Planning and Zoning Commission will, on the 11th day of May, 1978, at the hour of 10:00 a.m. at the office of the County Commissioners in the Courthouse in Hamilton, Montana, hold a public hearing at which the Commission will consider:

1. The creation of a Planning and Zoning District within the boundaries aforesaid.
2. The adoption of a developmet pattern for said district and the building and use restrictions to be made applicable thereto.

6407

RESOLUTION NO. 185

WHEREAS, a petition was duly filed with the Board of County Commissioners of Ravalli County, petitioning for the creation of a Planning and Zoning District in the area within the boundaries as described in Exhibit "A" attached hereto and with this reference made a part hereof.

WHEREAS, it appears that more than 60% of the freeholders affected thereby have signed said petition which is in due form.

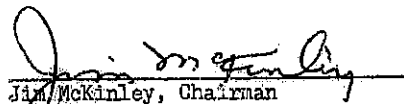
NOW, THEREFORE, it is ordered that a Planning and Zoning District, embracing the lands within the boundaries aforesaid, is created.

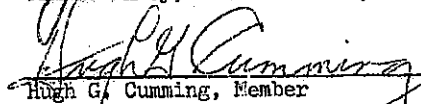
IT IS FURTHER ORDERED that a Planning and Zoning Commission be created and the persons appointed thereon are: The County Commissioners of Ravalli County, being Jim McKinley, Hugh G. Cumming and F.T. Williams; the County Assessor of Ravalli County, being Cheryl A. Richards; the County Surveyor of Ravalli County, being R. David Schurian.

IT IS FURTHER ORDERED that the Planning and Zoning Commission proceed in accordance with the provisions of Title 16, Chapter 41, R.C.M. 1947, as amended.

DATED this 20th day of April, 1978.

BOARD OF COUNTY COMMISSIONERS  
RAVALLI COUNTY, MONTANA

  
Jim McKinley, Chairman

  
Hugh G. Cumming, Member

  
F.T. Williams, Member

6407



EXHIBIT "A"

The  $N\frac{1}{2}SE\frac{1}{4}NW\frac{1}{4}$ , and that part of the  $SW\frac{1}{4}NE\frac{1}{4}$  lying west and below the Bitter Root Irrigation District Canal, all being located in Section 12, Township 8 North, Range 20 West, M.P.M.

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Sunset Orchards #4, Block 12, Lots 1 through 27, all in Sections 12 and 13, Township 8 North, Range 20 West, M.P.M.

Map of area is on file with said petition.

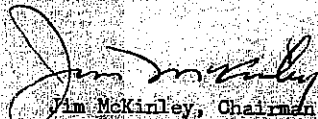
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STATE OF MONTANA  
COUNTY OF RAVALLI

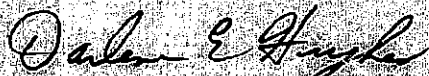
} ss

This is to certify that I, Jim McKinley, did post copies of Notice of Public Hearing on petition for creation of Planning and Zoning District in an area within Sections 1, 2, 11 and 12, Township 8 North, Range 20 West, and Sunset Orchards #4, Block 12, Lots 1 through 27, in the following places:

1. On a fence post 100 yards west of Jensen's house.
2. On telephone pole where pavement ends, south of Dill property.
3. On pole at the southeast corner of proposed district.

  
Jim McKinley, Chairman  
RAVALLI COUNTY COMMISSIONERS

Subscribed and sworn to before me this 10th day of April, 1978.

  
Notary Public for the State of Montana  
Residing at Hamilton, Montana  
My commission expires: April 1, 1980.

SEAL

6407

Notice of Public Hearing on Adoption of  
Planning and Zoning District and Adoption of Development  
Pattern Therefor

Notice is hereby given that a petition has been filed for the creation of a Planning and Zoning District in the area within the following boundaries to-wit:

The  $N\frac{1}{2}SE\frac{1}{4}NW\frac{1}{4}$ , and that part of the  $SW\frac{1}{4}NE\frac{1}{4}$  lying west and below the Bitter Root Irrigation District Canal, all being located in Section 12, Township 8 North, Range 20 West, M.P.M.

The  $N\frac{1}{2}NW\frac{1}{4}$ , and that part of the  $NW\frac{1}{4}NE\frac{1}{4}$  lying west of and below the Bitter Root Irrigation District Canal, all in Section 12, Township 8 North, Range 20 West, M.P.M.

The  $NE\frac{1}{4}NE\frac{1}{4}$ ,  $SE\frac{1}{4}NE\frac{1}{4}$ , and the  $NE\frac{1}{4}SE\frac{1}{4}$  of Section 11, Township 8 North, Range 20 West, M.P.M.

The  $SW\frac{1}{4}$ , and the  $W\frac{1}{2}SW\frac{1}{4}NW\frac{1}{4}$ , EXCEPT that portion north of the County Road, all in Section 1, Township 8 North, Range 20 West, M.P.M., ALSO EXCEPTING THEREFROM the following tract: Commencing at center of Section 1; thence south 330 feet; thence in a diagonal line to northwest corner of  $NE\frac{1}{4}SW\frac{1}{4}$  of said section; thence east on north line of  $NE\frac{1}{4}SW\frac{1}{4}$  of said Section to point of beginning. ALSO, a portion of the  $SW\frac{1}{4}NW\frac{1}{4}$  of Section 1, Township 8 North, Range 20 West, M.P.M., described as follows: Commencing at the northeast corner of  $NW\frac{1}{4}SW\frac{1}{4}$  of Section 1; thence north 330 feet; thence diagonally northwest to a point of 660 feet north of the northwest corner of the  $NE\frac{1}{4}NW\frac{1}{4}SW\frac{1}{4}$ ; thence south 660 feet; thence east to the point of beginning. ALSO,  $NW\frac{1}{4}SE\frac{1}{4}$ ,  $NE\frac{1}{4}SE\frac{1}{4}$ ,  $SE\frac{1}{4}SE\frac{1}{4}$ ,  $NE\frac{1}{4}SW\frac{1}{4}$ ,  $SE\frac{1}{4}NW\frac{1}{4}$ ,  $SW\frac{1}{4}NE\frac{1}{4}$ ,  $SE\frac{1}{4}NE\frac{1}{4}$ , EXCEPTING that part north of County Road, all in Section 2, Township 8 North, Range 20 West, M.P.M., SUBJECT to roads, rights of way and easements as same now exist or appear of record, 454.5 acres, more or less.

Sunset Orchards #4, Block 12, Lots 1 through 27, all in Sections 12 and 13, Township 8 North, Range 20 West, M.P.M.

Map of area is on file with said petition.

That pursuant to such petition, the Board of County Commissioners create and appoint a Planning and Zoning Commission. That the Planning and Zoning Commission will, on the 13th day of April, 1978, at the hour of 10:00 a.m. at the office of the County Commissioners in the Courthouse in Hamilton, Montana, hold a public hearing at which the Commission will consider:

1. The creation of a Planning and Zoning District within the boundaries aforesaid.
2. The adoption of a developmet pattern for said district and the building and use restrictions to be made applicable thereto.

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The Commission will consider the types of activity that may be conducted therein and the existing non-conforming uses which may be continued.

All persons affected by the proposed Planning and Zoning District will be given an opportunity to be heard; to contest or support the adoption of such development district by the Planning and Zoning Commission and the adoption of a development plan therefor.

BY ORDER OF THE PLANNING AND ZONING COMMISSION, dated the 27th  
day of March, 1978.

Publish March 27, 1978

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February 24, 1978

To: Ravalli County Board of County Commissioners  
From: Lower Sunset Bench Zoning Petitioners

We, the undersigned, being more than sixty percent (60%) of the freeholders within the boundaries described hereinafter, do petition the Ravalli County Board of County Commissioners to establish a Planning and Zoning District and Commission pursuant to Section 16-4101, et seq. Rev. Codes of Montana, 1947, to adhere to the property described in Exhibit A, together with the Land Use Restrictions enumerated in Exhibit B.

OK Harold B. Sander  
Harold B. Sander  
OK Phyllis P. Scobie  
Phyllis P. Scobie  
OK Lucretia J. Carpenter  
Lucretia J. Carpenter  
OK Mary E. Carpenter  
Mary E. Carpenter  
OK Helen M. Wray  
Helen M. Wray  
OK M. W. Wray  
M. W. Wray  
OK Richard L. Dill  
Richard L. Dill

OK Sharon L. Dill  
Sharon L. Dill  
OK Harry Jensen  
Harry Jensen  
OK Kay Jensen  
Kay Jensen  
OK Duke C. Jensen  
Duke C. Jensen  
OK Ray D. Jensen  
Ray D. Jensen  
OK T. J. Jensen  
T. J. Jensen  
OK Rottie S. Jensen  
Rottie S. Jensen

April 13, 1978

March 27, 1978

85%  
79%  
17 OK  
20 Possible

4 18 OK  
4 Dren  
22 possible  
6407



February 24, 1978

To: Ravalli County Board of County Commissioners  
From: Lower Sunset Bench Zoning Petitioners

We, the undersigned, being more than sixty percent (60%) of the freeholders within the boundaries described hereinafter, do petition the Ravalli County Board of County Commissioners to establish a Planning and Zoning District and Commission pursuant to Section 10-4-101, et seq. Rev. Codes of Montana, 1947, to adhere to the property described in Exhibit A, together with the Land Use Restrictions enumerated in Exhibit B.

Donald R. Wal

Mercedes Wax

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February 24, 1978

To: Ravalli County Board of County Commissioners  
From: Lower Sunset Bench Zoning Petitioners

We, the undersigned, being more than sixty percent (60%) of the freeholders within the boundaries described hereinafter, do petition the Ravalli County Board of County Commissioners to establish a Planning and Zoning District and Commission pursuant to Section 16-4-101, et seq. Rev. Codes of Montana, 1947, to adhere to the property described in Exhibit A, together with the Land Use Restrictions enumerated in Exhibit B.

We sign and approve the above petition providing this if approved

☒ would not preclude us from building our residence on this property

Lot 16, Block 12, Sunset Orchards No. 4, Ravalli County Montana

which may be slightly less than 10 acres.

Eugene H. Knowles

No. 6 Lester G. Knowles

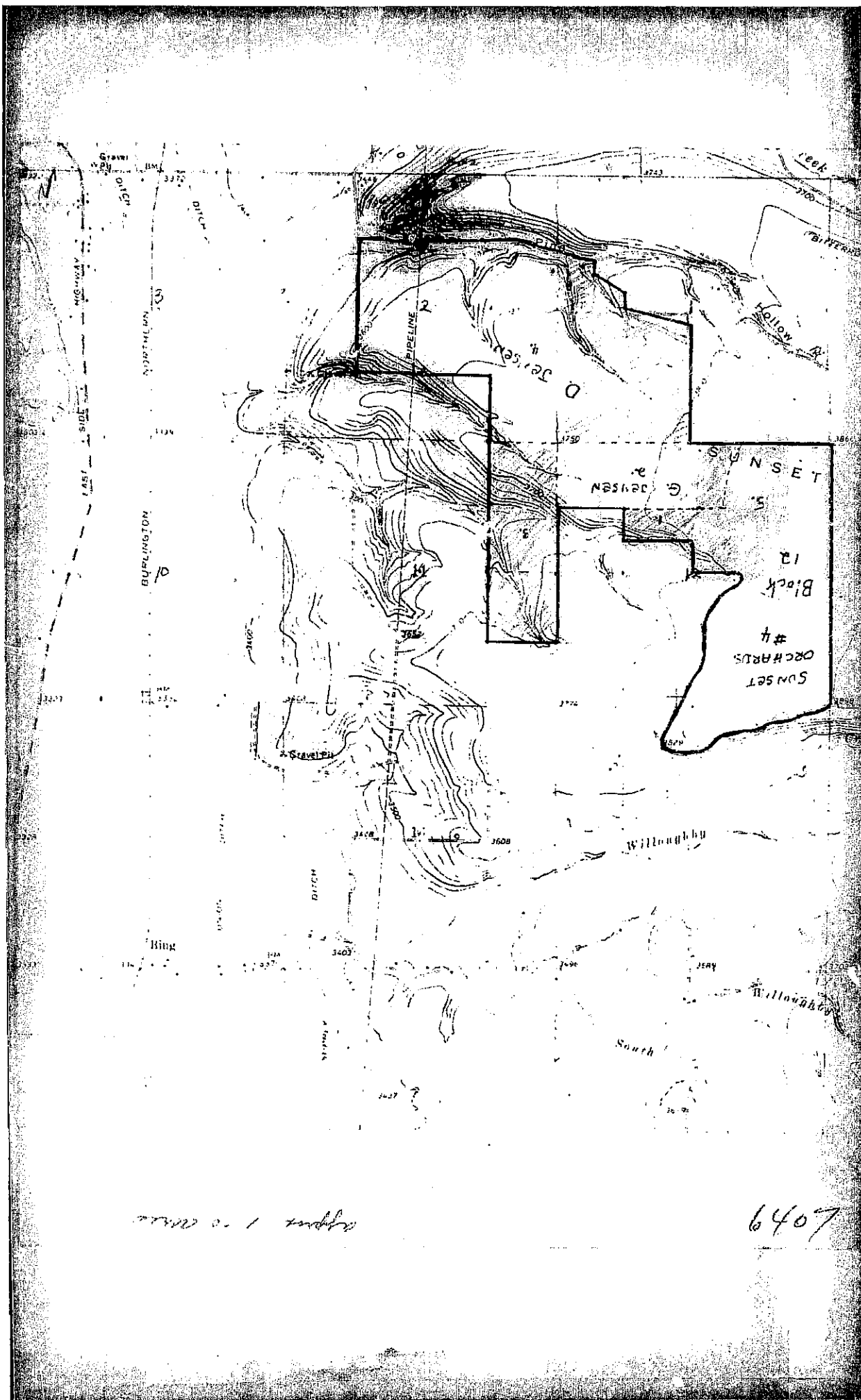
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EXHIBIT A

LEGAL DESCRIPTION OF PROPERTIES TO BE ZONED

1.  $N\frac{1}{2}SE\frac{1}{4}NW\frac{1}{4}$ , that part of the  $SW\frac{1}{4}NE\frac{1}{4}$  lying west and below the Bitter Root Irrigation District canal, all being located in Section 12, Township 8 North, Range 20 West, MPM.
2. The North Half of the Northwest Quarter ( $N\frac{1}{2}NW\frac{1}{4}$ ) and that part of the Northwest Quarter of the Northeast Quarter ( $NW\frac{1}{4}NE\frac{1}{4}$ ) lying West of and below the Bitter Root Irrigation District Canal, all in Section 12, Township 8 North, Range 20 West, M. P. M.
3. ALSO,  $NE\frac{1}{4}NE\frac{1}{4}$ ,  $SE\frac{1}{4}NE\frac{1}{4}$ , and the  $NE\frac{1}{4}SE\frac{1}{4}$ , of Section 11, Township 8 North, Range 20 West, M. P. M.
4.  $SW\frac{1}{4}$  and  $W\frac{1}{2}SW\frac{1}{4}NW\frac{1}{4}$ , EXCEPT that portion north of the County Road, all in Section 11, Township 8 North, Range 20 West, M. P. M., Also except the following tract. Commencing at center of Section 1; thence south 330 feet; thence in a diagonal line to northwest corner of  $NE\frac{1}{4}SW\frac{1}{4}$  of said section; thence east on north line of  $NE\frac{1}{4}SW\frac{1}{4}$  of said Section to point of beginning. Also a portion of the  $SW\frac{1}{4}NW\frac{1}{4}$  Section 1, Township 8 North, Range 20 West, M. P. M., described as follows: Commencing at northeast corner of  $NW\frac{1}{4}SW\frac{1}{4}$  Section 1; thence north 330 feet; thence diagonally northwest to a point 660 feet north of northwest corner of  $NE\frac{1}{4}NW\frac{1}{4}SW\frac{1}{4}$ ; thence south 660 feet; thence east to point of beginning. Also,  $NW\frac{1}{4}SE\frac{1}{4}$ ,  $NE\frac{1}{4}SE\frac{1}{4}$ ,  $SE\frac{1}{4}SE\frac{1}{4}$ ,  $NE\frac{1}{4}SW\frac{1}{4}$ ,  $SE\frac{1}{4}NW\frac{1}{4}$ ,  $SW\frac{1}{4}NE\frac{1}{4}$ ,  $SE\frac{1}{4}NE\frac{1}{4}$  EXCEPTING that part north of County Road; all in Section 2, Township 8 North, Range 20 West, M. P. M. SUBJECT to roads, rights of way and easements as same now exist or appear of record, 454.5 acres, more or less.
5. Sunset Orchards #4, Block 12, Lots 1-27, all in Sections 12 and 13, Township 8 North, Range 20 West, M. P. M.

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**EXHIBIT B**

The petitioners of this proposed zoning district wish to preserve as much as possible of the agricultural land and rural atmosphere present in our district. While we have set a minimum size of ten acres per dwelling, we hope that the present mixture of small plots and larger farms will continue.

The petitioner's, having long enjoyed the freedoms of land use associated with rural living, wish to prohibit only those land uses which would threaten our rural setting; namely, high density housing developments and largescale commercial or industrial enterprises.

Maximum residential density.....One (1) dwelling per 10 acres.  
Minimum required yard - front.....Fifty (50) feet.  
                             - side.....Fifty (50) feet.  
                             - rear.....Fifty (50) feet.  
Maximum building height.....None.

1. Single family dwellings.
2. Mobile homes.
3. Modular homes.
4. Accessory buildings and uses.
5. Small scale home or "cottage" enterprises.
6. Accessory housing associated with the primary dwelling for "hired hands" or blood relatives who are part of a farming operation.

If any provision herein is invalidated by judgement or court order, the remainder of the provisions herein contained shall remain in full force and effect.

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*[Handwritten:]* 7-21-78  
1030  
*[Stamp:]* COUNTY RECORDS  
*[Handwritten:]* No 9

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